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6	CFinlayson@ag.nv.gov Attorney for Respondents		
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8	UNITED STATES DISTRICT COURT		
9	DISTRICT OF NEVADA		
10	JAMES RAY WALKER,	Case No. 2:15-cv-01240-RFB-GWF	
11	Petitioner,	UNOPPOSED MOTION FOR ENLARGEMENT OF TIME (FIRST	
12	VS.	REQUEST)	
13	WILLIAM GITTERE, et al.,		
14	Respondents.		
15	Respondents, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada,		
16	hereby respectfully move this Court for an order granting a ninety (90) day enlargement of time, to and		
17	including May 2, 2022, in which to file and serve their response.		
18	This motion is based upon the provisions of Rule 6(b) of the Federal Rules of Civil Procedure		
19	and the attached Declaration of Counsel, as well as all other papers, documents, records, pleadings and		
20	other materials on file herein.		
21	There has been no prior enlargement of Respondents' time to file said response, and this motion		
22	is made in good faith and not for the purposes of delay.		
23	RESPECTFULLY SUBMITTED this 31st day of January, 2022.		
24	AARON D. FORD Attorney General		
25	By:	/s/ Charles L. Finlayson	
26		CHARLES L. FINLAYSON (Bar No. 13685) Senior Deputy Attorney General	
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28			

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8	UNITED STATES	S DISTRICT COURT	
9	DISTRICT OF NEVADA		
10	JAMES RAY WALKER,	Case No. 2:15-cv-01240-RFB-GWF	
11	Petitioner,	DECLARATION OF COUNSEL	
12	VS.		
13	WILLIAM GITTERE, et al.,		
14	Respondents.		
15	I, Charles L. Finlayson, hereby state, based on personal knowledge and/or information and belie		
16	that the assertions of this declaration are true:		
17	I am a Senior Deputy Attorney Ge	eneral of the Post-Conviction Division of the Nevada	
18	Attorney General's Office, and I make this declaration on behalf of Respondents' motion for enlargement		
19	of time.		
20	2. My answer in this matter is pres	ently due February 1, 2022. By this motion, I am	
21	requesting a 90-day day extension of time to file my response, up to and including May 2, 2022.		
22	3. I require additional time to respon	d. I recently filed responses in McClain v. Williams	
23	2:17-cv-00753-RFB-NJK; and <i>Orduna v. Garrett</i> , 20-cv-00641-MMD-CLB. I have also been workin		
24	diligently to complete responses in earlier filed capital cases, including <i>Leonard v. Gittere</i> , 2:99-cv		
25	00360-MMD-DJ; and <i>Sonner v. Gittere</i> , 2:00-cv-01101-KJD-DJA. The petitioner in Leonard filed		
26	nearly 400-page reply in support of his petition, along with additional requests for an evidentiary hearin		
27	and discovery, and the petitioner in Sonner filed a lengthy memorandum regarding procedural defaul		

My responses in those matters are presently due in February. Although I anticipate having to request

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extensions in those matters as well, I intend to prioritize them given the age of those cases. I also have an answer following an order on a motion to dismiss in *Mulder v. Gittere*, 3:09-cv-00610-JAD-CSD, due in April.

- 4. On top of my work on other cases, I spent a significant portion of my schedule in the previous weeks, including weekends and holidays, preparing for oral argument in the Ninth Circuit on a capital case. On January 25, the Ninth Circuit rescheduled that argument for March 17, 2022.
- 5. My role as a Senior Deputy Attorney General also requires that I take time from my own cases to assign cases, review and edit filings, conduct trainings, and coordinate responses with other departments. These responsibilities, which I cannot delegate, take up a significant portion of my time.
- 6. For the foregoing reasons, I respectfully request that this Court grant this request to extend the time for responding in this matter to May 2, 2022.
- 7. I contacted counsel for the petitioner and they indicated that they had no objection to my request.

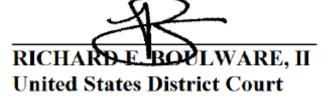
Pursuant to 28 U.S.C. § 1746, Declarant herein certifies, under penalty of perjury, that the foregoing is true and correct.

By: /s/ Charles L. Finlayson CHARLES L. FINLAYSON (Bar No. 13685) Senior Deputy Attorney General

## **ORDER**

IT IS SO ORDERED.

Dated this 31st day of January , 2022.



**CERTIFICATE OF SERVICE** I certify that I am an employee of the Office of the Attorney General and that on this 31st day of January, 2022, I served a copy of the foregoing UNOPPOSED MOTION FOR ENLARGEMENT OF TIME (FIRST REQUEST), by U.S. District Court CM/ECF electronic filing to: David Anthony Martin Novillo T. Kenneth Lee Assistant Federal Public Defenders 411 East Bonneville Ave., Suite 250 Las Vegas, NV 89101 /s/ Amanda White